

Order

Michigan Supreme Court
Lansing, Michigan

February 6, 2009

Marilyn Kelly,
Chief Justice

137244

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 137244
COA: 277866
Wayne CC: 06-008306-01

ELGIE SANTINO GRAYS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the July 15, 2008 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1) and 7.316(A)(1), in lieu of granting leave to appeal, we VACATE the defendant's conviction of second-degree murder. See *People v Clark*, 243 Mich App 424, 429 (2000), lv den 465 Mich 863 (2001). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.

KELLY, C.J., would grant leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 6, 2009

Corbin R. Davis

Clerk